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& EWING
ATTORNEYS - AT - LAW

209465



November 20, 2003
VIA: UPS Overnight

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
Mercury Building # 711
1925 K Street, N.W.
Washington, D.C. 20423-0001

RE: STB Finance Docket No. 34427
Buffalo & Pittsburgh Railroad, Inc. --
Lease and Operation Exemption --
CSX Transportation, Inc.
**Amendment to Petition / Corrected Labor
Notice Certification**

ENTERED
Office of Proceedings
NOV 21 2003
Part of
Public Record

Dear Secretary Williams:

Buffalo & Pittsburgh Railroad, Inc. ("BPRR") and CSX Transportation ("CSXT") hereby amend the Petition for Exemption filed in the above-entitled proceeding to correct one end point of the line being leased. The parties have determined, that at New Castle, the end point, instead of being M.P. 51.0, should have been M.P. 51.2. BPRR respectfully requests that the Board accept this amended description of the line, and consider the Petition for Exemption amended accordingly.

The correction of the milepost designation will not affect any additional employees. Those employees who might be affected were notified in the labor notice posted on October 22, 2003, and certified to the Board on October 24, 2003. However, in order to ensure that all interested parties would be aware of this minor change, BPRR prepared a corrected labor notice which reflects the corrected milepost designation. BPRR hereby certifies that on November 19, 2003, a copy of the enclosed corrected notice was posted at the Customer Service Center of CSXT in Jacksonville, Florida, and at New Castle Yard, Connellsville and Pittsburgh in Pennsylvania. BPRR further certifies that it is serving by overnight delivery, a copy of this letter and the enclosed corrected notice on the national offices of the labor unions shown below.

GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

PHILADELPHIA

WILMINGTON

Honorable Vernon A. Williams, Secretary
November 20, 2003

To the extent necessary, BPRR respectfully requests that the Board waive 28 days of the 60-day period after this certification of the corrected notice to permit closing to occur on December 23, 2003, when the original 60-day period will have been completed.

Ten copies of this letter and Notice are enclosed for filing with the Board. Please time-stamp the enclosed extra copy of the letter and corrected notice and return them to me in the stamped self-addressed envelope provided for your convenience.

Respectfully submitted,



Eric M. Hocky
Attorney for Buffalo & Pittsburgh Railroad,
Inc.

Enclosures

cc: via UPS Overnight

Mr. D. M. Hahs
International President
**Brotherhood of Locomotive
Engineers**
Standard Building
1370 Ontario Street
Cleveland, OH 44113

Mr. Byron A. Boyd, Jr.
International President
United Transportation Union
14600 Detroit Avenue
Cleveland, OH 44107

Mr. M. A. Fleming
President
**Brotherhood of Maintenance
of Way Employees**
Suite 320
20300 Civic Center Drive
Southfield, MI 48076-4169

Mr. W.D. Pickett
President
**Brotherhood of Railroad
Signalmen**
601 West Golf Road, Box U
Mt. Prospect, IL 60056

GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

PHILADELPHIA

WILMINGTON

NOV. -19' 03 (MED) 11:16

P.002

Before the
SURFACE TRANSPORTATION BOARD
STB Finance Docket No. 34427



BUFFALO & PITTSBURGH RAILROAD, INC.
- LEASE AND OPERATION EXEMPTION -
CSX TRANSPORTATION, INC.

CERTIFICATE OF
THE CSX TRANSPORTATION, INC.

The attached Corrected Notice of Intent was posted at Connellsville and
Pittsburgh, PA.

I, Deborah J. Watkins ^{CLERK TO}
~~Trainmaster~~ of CSX Transportation, Inc. certify

under penalty of perjury that the foregoing is true and correct. Further, I certify that I am
qualified and authorized to file the foregoing document.

Executed on November 19, 2003.

Deborah J. Watkins
[Name]

NOV. -20' 03 (THU) 13:42

P. 003

NOV. -19' 03 (WED) 12:20 CSXT CSC:EXEC DEP

TEL: 904 279 6723

P. 001

NOV. -19' 03 (WED) 11:18

P. 002

Before the

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 34427

**BUFFALO & PITTSBURGH RAILROAD, INC.
- LEASE AND OPERATION EXEMPTION -
CSX TRANSPORTATION, INC.**

**CERTIFICATE OF
THE CSX TRANSPORTATION, INC.**

The attached Corrected Notice of Intent was posted at Customer Service Center,
Southpoint, Jacksonville, Florida.

I, Teresa Edwards, Administrative Assistant of CSX Transportation, Inc.
certify under penalty of perjury that the foregoing is true and correct. Further, I certify that I am
qualified and authorized to file the foregoing document.

Executed on November 19, 2003.


[Name]

NOV. -20' 03 (THU) 13:42

P. 004

NOV-19-2003 11:57 FROM:NEWCASTLE TM OFFICE 412 656 9642

TO:819043591111

P.1'1

NOV. -19' 03 (WED) 11:01

P. 002

Before the
SURFACE TRANSPORTATION BOARD
STB Finance Docket No. 34427

BUFFALO & PITTSBURGH RAILROAD, INC.
- LEASE AND OPERATION EXEMPTION -
CSX TRANSPORTATION, INC.

**CERTIFICATE OF
THE CSX TRANSPORTATION, INC.**

The attached Corrected Notice of Intent was posted at New Castle, PA.

I, **Dave Heron**, Trainmaster of CSX Transportation, Inc. certify under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file the foregoing document.

Executed on November 19, 2003.


[Name]

Before the
SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 34427

**BUFFALO & PITTSBURGH RAILROAD, INC.
- LEASE AND OPERATION EXEMPTION -
CSX TRANSPORTATION, INC.**

[CORRECTED]

**NOTICE OF INTENT DIRECTED TO EMPLOYEES OF
CSX TRANSPORTATION, INC.**

Pursuant to the regulations of the Surface Transportation Board (the "Board") at 49 CFR §1121.4(h), Buffalo & Pittsburgh Railroad, Inc. ("BPRR") hereby gives notice of its intent to lease from CSX Transportation, Inc. ("CSX"), the 43.8 mile line of railroad between approximately milepost BG-7.2 ± at Glenshaw, PA and approximately milepost **BG-51.2 ±** at New Castle, PA. The lease is intended to be effective as of the later of December 23, 2003, or 60 days after BPRR certified to the Board that the original notice had been posted. **[This corrected notice is being posted to correct the milepost description of the line being leased. All changes from the original notice posted October 22, 2003, are shown in bold.]**

As a result of the transaction, BPRR preliminarily estimates that following jobs

will be available when it begins freight service, at the starting hourly rates of pay indicated:

<u>Jobs¹</u>	<u>Starting Rates of Pay</u>
1 Locomotive Engineer	\$ 14.40
1 Conductor	\$ 13.77
1 Maintenance of Way Foreman	\$ 18.27
1 Maintenance of Way Laborer	\$ 15.03
1 Signal Maintainer	\$ 18.27

Employees will be provided with railroad retirement, medical insurance, holidays, vacation and other benefits consistent with the benefits currently provided employees of BPRR with similar jobs.

BPRR is an equal opportunity employer. Employees will be selected based upon their experience and suitability for the jobs that may be offered. Successful applicants will be required to pass a pre-employment drug and alcohol screen, complete a medical questionnaire, and take a physical exam.

Applicants selected for positions as engineers and conductors will be required to be members of the union representing BPRR employees holding those jobs.

Engineers and conductors on BPRR are represented by United Transportation Union.

NOV. -20' 03 (THU) 14:00

Wednesday, November 19, 2003 10:27 AM

David Collins 585-463-3305

P. 004

p.01

Applications for employment should be made by sending a letter and resume stating the applicant's experience, providing references for any employment held during the last five years and any rail industry employment held at any time. The applicant must be available to start work by the seventh day before the commencement of operations. The letter should be sent by regular mail to Buffalo & Pittsburgh Railroad, Inc. c/o Shayne L. Magdoff, Senior Vice President Administration and Human Resources, Genesee & Wyoming, Inc, 1200-C Scottsville Road, Suite 200, Rochester, NY 14624.

BUFFALO & PITTSBURGH RAILROAD, INC.

Dated: November 19, 2003

By:


David J. Collins, President

RECEIVED TIME NOV.20. 1:53PM

PRINT TIME NOV.20. 1:54PM